



5 fw

PATENT
DOCKET NO. RCX-023.01
(24202-2301)

In re Application of:

Kennedy, T. S.

Application No: 10/764,271

Filed: January 23, 2004

For: *Apparatus and Methods for Filling
Trays*

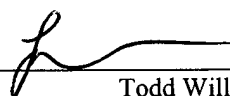
Art Unit: 3751

Examiner: Douglas, S. O.

Certificate of Mailing

I hereby certify that this "Supplemental Information Disclosure Statement" is being deposited with the U.S. Postal Service as First Class Mail with sufficient postage on the date set forth below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 1, 2005
Date of Signature and Mail Deposit

By: 
Todd Williams

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications BA-BF listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Because the filing date of the instant application is January 23, 2004, a copy of the disclosed U.S. Patent is not provided.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☒ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee, AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

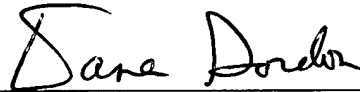
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- ☒ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

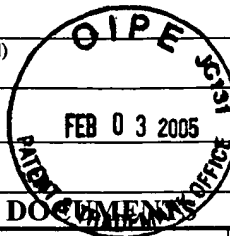


Dana M. Gordon, Ph.D.
Reg. No. 44,719
Attorney for Applicant(s)

Date: February 1, 2005

Foley Hoag LLP
155 Seaport Boulevard
Boston, Massachusetts 02210-2600
Tel. No. (617) 832-1000
Fax No. (617) 832-7000

Form PTO-1449	SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) RCX-023.01	Application Number 10/764,271
		Applicant Kennedy, S. T.	
		Filing Date 01/23/04	Group Art Unit 3751



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA 3,782,033 A	01/01/74	Hickerson	47	1	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	BB JP 7-39256 A	02/10/95	Japan	--	--		X
	BC JP 2001-258401 A	09/25/01	Japan	--	--		X
	BD JP 7-284345 A	10/31/95	Japan	--	--		X
	BE JP 11-151046 A	06/08/99	Japan	--	--		X

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

BF	International Search Report (PCT/US04/01710), mailed 01/04/05

EXAMINER		DATE CONSIDERED
----------	--	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.